
FY 2019
SMALL NEPA PROJECT DESCRIPTION
Nez Perce-Clearwater National Forests

Please **do not leave any field BLANK**, unless it does not apply.
Submit form (Word doc) electronically to jjchynoweth@fs.fed.us by **November 7, 2018**.

(NOTE: Italicized / red comments are for reference only. You may delete them when completing form.)

Project Name	Elsner Private Road Special Use Permit
District Name (or "Forestwide")	Lochsa – Powell
County where project located?	Idaho
FS Personnel Name, Phone Number and Email <i>If a partnership, please add name, phone and email; however, an FS employee MUST BE the project proponent and point of contact.</i>	Adam McClory, Land Uses Program Manager
Legal Location <i>Township(s), Range(s), and Section(s) of project.</i>	T. 32 N., R., 4 E., SE1/4 SW1/4 Sec. 4, B.M.
District Ranger / Line Officer's Name <i>Person(s) responsible for signing the decision document</i>	Brandon Knapton (208) 926-4274
Is the project associated with meeting a Forest target?	No.
Which CE Category does this project fit? <i>Provide citation: 36 CFR 220.6(e)(x)</i> <i>See below regarding 220.6(d) projects.</i>	36 CFR 220.6(e)(3). Approval, modification, or continuation of minor special uses of NFS lands that require less than five contiguous acres of land.
At what level does the Decision Maker want the project scoped? Internal____ External* <u>X</u> <i>Internal scoping will be through the Small NEPA IDT, unless otherwise specified. Scoping would be documented in the Extraordinary Circumstances Checklist.</i> <i>External scoping will be with the public via a scoping letter, a legal notice, and the scoping letter posted on the NPCWNF website. Postcards with a link to the website/scoping letter will be used for larger mailings. The Project will only be scoped to the Tribe(s) et al (see * below), unless otherwise specified.</i> <i>*For external scoping, please to complete block below. Note: please enter "NA" if left empty on purpose</i>	

Provide a list of the individuals, groups, agencies, etc. *, with their mailing address and/or email address, who will be included for external Scoping. DO NOT provide only a name.

N/A

** The Nez Perce and Coeur d'Alene Tribes will routinely be scoped. The following will also be included on all SN scoping/ mailing lists: Friends of the Clearwater, Idaho Conservation League, Thomas E. Peterson and Bill Mulligan.*

What Level of Analysis (below) does the Decision Maker want for the Project?

 X **Low level:** If the project's level of public scrutiny is projected to be relatively low or unknown, the line officer chooses who we would contact for scoping (limited). In this case specialists would only do the checklist for each project. Documentation for low level analysis projects would be a completed checklist filled out by the specialists, including the name of the specialist who performed the analysis, the project name, and date it was completed. No other written documentation would be generated.

 Moderate level: If the project's level of public scrutiny is projected to be relatively moderate to high, then the line officer chooses who we would contact for scoping (a little broader). In this case, specialists would complete the checklist with the only write up being for items that are present and the rationale for the effects call. No write up would be given for items in the checklist that are not present. If the determination is no effect (which generally speaking, most CE's should have zero to very little adverse effects), then document why that determination was made in one paragraph or less. If the determination is an adverse effect, then why that determination was made would be written in less three paragraphs.

List the Management Area(s) in which your project is located.

A7: Classified Middle Fork – Lochsa Recreation River Corridor.

What are the desired conditions (*relevant to your project*) for the Management Area(s) listed above?

The only information in management area A7 that is relevant to this project is under Facilities, Standards, which states, "b. Locate new roads to minimize effects on key resources, emphasizing roads that are screened from view of the river, U.S. Highway 12, and camping areas (CNF Forest Plan, page III-29)." I suspect that this really refers to Forest Service roads; however, if it also relates to development of new non-FS roads, then this proposed project certainly meets all of the identified parameters. This is essentially a two-track road that is on the west/south side of a ridge and is screened from the Middle Fork of the Clearwater River, U.S. Highway 12 and any camping areas.

Desired conditions are described in Chapters 2 & 3 of the Nez Perce and Clearwater Forest Plans.

Is the project in an Inventoried Roadless Area (IRA)? Yes* **No**

If yes, which one?

** If yes, fill in the 'Project in Roadless Area' table below, AND complete a Briefing Paper - note map requirements. Provide the completed Briefing Paper to the Environmental Coordinator and Brian Riggers prior to scoping.*

Is the project in a congressionally designated area, ex. Wilderness Area, Wild & Scenic River Corridor, Research Natural Area, Historic Trail, etc.? **Yes*** No

If yes, which one(s)? Middle Fork Clearwater Wild and Scenic River Corridor

** If yes, contact Carol Hennessey, cahennessey@fs.fed.us, 935-4270, BEFORE submitting this proposal, to discuss how the project may affect the designated area.*

Are there Floodplains or Wetlands in the project area? Yes **No**

Are there Municipal Watersheds in the project area? Yes **No**

If yes, which one?

Is the project located in an RHCA? Yes **No**

Describe the existing condition of the project area.

The project area is an open ridge-top, characterized by grasses and scattered vegetation. The terrain is mostly gentle with scattered rocks present, some approaching 4-6" in diameter. The location of the proposed right-of-way is on this ridge-top, with the proposed location to be situated just off the ridge-top to the south/west. With that, the road will not be visible from either the Middle Fork of the Clearwater River or U.S. Highway 12.

What is the Purpose and Need for the proposed action*?

The purpose and need for the project is to provide a landowner with a road right-of-way access to his private property. During discussions, both over the phone and in the field with the proponent, we discussed alternative options for him to gain access to the southern portion of his private land. Unfortunately, there does not seem to be an alternative route for the landowner allowing him to access his land through non-NFS lands. Land to the south-west of the proposed route is too steep for vehicular traffic. Additionally, Mr. Elsner contacted the landowner by the south-east corner of his property and requested access through an existing road on their land. This request was denied.

The Alaska National Interest Lands Conservation Act (ANILCA), in Section 1323 (a) states that the owners of non-Federal land within the National Forest System shall be provided adequate access to their land. However, location, type and method of access can be reasonably limited, considering the purposes for which the National Forest System was established and is administered. Essentially, the kind of access granted an inholder is a discretionary decision based on individual facts and circumstances.

With that said, the proponent has done all he can to secure access via non-NFS lands and absent his ability to do so, we need to review and evaluate access across public land.

The proponent would like to eventually pursue permanent access across NFS-lands through a land exchange. An additional option could be possible direct sale of NFS lands to the project proponent. Both of these potential options would likely involve a lengthy process, therefore, the desire is to explore authorization of a private road special use permit as additional actions are explored further.

** The purpose and need describes: Why is the action being proposed at this location at this time (what is the problem, the need for the action?)? And what is the desired goal/outcome (the purpose) of the action?*

Describe the Proposed Action.

What is provided will be used in the Scoping Letter (*external only*), by the resource specialists for their effects analyses, and in the Decision document.

The proponent is requesting a road right-of-way across National Forest System Lands to access the southern portion of his private property. The right-of-way would be approximately 475' x 20', consisting of approximately 0.22 acres. With approval of this project, the proponent would be granted a 20 year private road special use permit. Access restrictions to the public would not change as there are no roads or trails in the area and the location in question is bordered primarily by private lands.

Very little ground disturbance will occur with development of this project. **The proposed action does not include use of any machinery or equipment to improve access.** In essence, the road will not be 'constructed' per se, but will be developed over time via vehicle use, constrained within the permitted width of the right-of-way.

The only permit that will be needed before this project can begin is the authorization from the Nez Perce – Clearwater National Forests.

The proponent will likely utilize this route as soon as he is able to pending the Forest Service decision.

List the Design Criteria / Mitigation Measures * to be included with the Proposed Action.

The following stipulations will be in place, and included with the authorization:

- No use of a machinery blade for grading will be allowed.
- No pit run material will be allowed for use as a base, etc.
- Surface maintenance of the right-of-way will only be allowed with hand tools.
- If requested, a yard of gravel would be allowed to smooth out holes, etc.
- If improvements to the road or grade are requested, the proponent will have to submit a separate request.

** Additional Design Criteria/Measures can be listed under "Additional Information" on the last page of this form*

Small NEPA IDT/resource specialists are listed below. Contact them if you have any questions regarding their resource for your project.

Botany – Mike Hays, mhays01@fs.fed.us; 983-4028

Fisheries – Derrick Bawdon, dbawdon@fs.fed.us;

Heritage – Steve Lucas, slucas@fs.fed.us; 983-4040

Hydrology – Cynthia Valle, cvalle@fs.fed.us; 963-4203

Minerals – Marty Jones, martinjones@fs.fed.us; 983-5158

Recreation – Carol Hennessey, cahennessey@fs.fed.us; 935-4270

Soils –

Wild and Scenic River – Chris Noyes, chnoyes@fs.fed.us; 935-4251

Wildlife – Jim Lutes, jamesrlutes@fs.fed.us; 963-4202

Additional Information: N/A

